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TECH CENTER 1600/2900

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PATENT/Docket No.: 018512-000120US

CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service: December 30, 2003

I hereby certify that this transmittal, together with the appeal brief referred to below, is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Mail Stop Appeal Brief - Patents, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Karen Karlin  
Karen Karlin

\*\*\*\*\*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS

Art Unit                      1646  
Examiner                      Nirmal S. Basi  
Applicant(s) :                Lawrence Salkoff et al.  
Application No.:              09/176,664  
Filed :                        October 21, 1998  
For :                         PH SENSITIVE POTASSIUM CHANNEL IN SPERMATOCYTES

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF UNDER 37 CFR 1.192

Sir:

Appellant hereby transmits three (3) copies of the brief required under 37 CFR 1.192 in connection with the appeal in the above-captioned application. The NOTICE OF APPEAL UNDER 37 CFR 1.191 was filed on June 30, 2003, and received by the Patent and Trademark Office on July 2, 2003.

Appellant hereby requests that the fee for filing a brief in support of an appeal, \$165.00 (small entity), or such greater or lesser amount as the Commissioner may deem is required by 37 CFR 1.17(f), be charged to Deposit Account No. 20-1430.

[ X ] The brief is being filed under 37 CFR 1.8 and the required Certificate of Mailing appears above.

[ ] Appellants hereby request an oral hearing pursuant to 37 CFR 1.194 and hereby request that the fee for filing a request for oral hearing, \$145.00 (small entity), or such greater or lesser amount as the Commissioner may deem is required by 37 CFR 1.17(g), be charged to Deposit Account No. 20-1430.

[ X ] Appellants reserve the right to request an oral hearing pursuant to 37 CFR 1.194 following receipt of the Examiner's Answer.

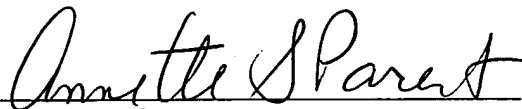
[ X ] A Petition to Extend Time for four-months to December 30, 2003, is enclosed.

Respectfully submitted,

TOWNSEND and TOWNSEND and CREW LLP

Date: December 30, 2003

By



Annette S. Parent

Reg. No. 42,058

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Enclosures: Appellant's Brief (in triplicate)  
Pet. to Extend Time SB/22 with fee authorization (in duplicate)  
Fee Trans. SB/17 with fee authorization (in duplicate)

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 905**Complete if Known**

Application Number	09/176,664
Filing Date	October 21, 1998
First Named Inventor	Salkoff, Lawrence
Examiner Name	Nirmal S. Basi
Art Unit	1646
Attorney Docket No.	018512-000120US

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JAN 0 8 2004

**TECH CENTER 1600/2900****METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

**The Director is authorized to: (check all that apply)**☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims		Fee from below		Fee Paid
Total Claims	-** =		X		X	
Independent Claims			X		X	
Multiple Dependent			X		X	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	740
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	165
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$)905

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Annette S. Parent	Registration No. (Attorney/Agent)	42,058	Telephone	415-576-0200
Signature				Date	December 30, 2003

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